

VILLAGE BOARD OF TRUSTEES
PUBLIC HEARING AND SPECIAL MEETING
APRIL 28, 2020

Peterson called the meeting to order at 5:00 PM in the Community Room. Board members had been given the agenda and supporting documents, and notices were posted at the Village Office, Ceresco Post Office, and CerescoBank. Peterson pointed out the Open Meeting Law Act posted on the wall in the Community Room. Answering roll call: Peterson, Hartshorn, Wilson and Rupe. Absent: Custer. Also present: Dave Burklund, Jody Anderson and Joan Lindgren.

Peterson moved for the Village Board to convene as the Board of Adjustment. Wilson seconded. Voting Yes: Peterson, Wilson, Rupe and Hartshorn. No: none. Motion carried.

Hartshorn moved to open the Public Hearing as the Board of Adjustments for a Variance Request at 213 Main Street from the front yard setback requirements for a lot in the R-3 High Density Residential District. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe and Peterson. No: none. Motion carried. The Public Hearing opened at 5:02 PM.

Dave Burklund was present to share the Planning Commission discussion from the Public Hearing held April 27th regarding the Variance Request at 213 Main Street. The initial request is to conform to the existing setback of existing structures along Main Street for the front yard, which would allow zero entry for a special needs family member. Burklund noted the Commission had concerns of there not being enough room in the driveway for a larger vehicle, such as a van, without blocking the sidewalk. Discussion held.

The Planning Commission found 1) Hardship unique to this lot, condition not found on adjacent properties and necessary for the reasonable and acceptable development of the property, 2) Approval would not create substantial detriment to public or injurious to adjacent and nearby properties, 3) There are unique circumstances or conditions affecting the property that are not the result of actions by the developer. The Planning Commission's recommendations to the Board of Adjustments is 18 feet front yard setback with sidewalk flares at both sides of the driveway.

There was no public comment.

Hartshorn moved to close the Public Hearing. Rupe seconded. Voting Yes: Hartshorn, Rupe, Wilson and Peterson. No: none. Motion carried. The Public Hearing was closed at 5:05 PM.

Discussion held. The Board of Adjustments agreed with the findings and recommendations of the Planning Commission.

Hartshorn moved to approve the request for Variance on 213 Main Street from the front yard setback requirements to 18 feet front yard setback requirements with sidewalk flares at both sides of the driveway. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe and Peterson. No: none. Motion carried.

Hartshorn moved to reconvene as the Village Board of Trustees. Peterson seconded. Voting Yes: Hartshorn, Peterson, Wilson and Rupe. No: none. Motion carried. Village Board business convened at 5:09 PM.

Lindgren reviewed the Tree Board has looked at the bids to remove and spray trees and recommends to use Capital Arborist Tree Services since they do a lot of extra work for the Village without charging. Peterson noted he spoke with Justin Maxson regarding the price to spray bagworms on the four trees at 1st & Elm. It would be \$200 per tree, but Justin doesn't recommend spraying the trees. There is extensive damage caused by poor trimming after the 2008 tornadoes. Lindgren reviewed Arnie Lowell with the Tree Board is recommending spraying for the bagworms on the trees at 1st & Elm, since they are the only trees left from the Centennial. Discussion held.

Hartshorn moved to accept the estimate from Capital Arborist Tree Services to remove the tree next to scout hall for \$2,800.00. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe and Peterson. No: none. Motion carried.

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The Board discussed spraying or removing the four trees at 1st & Elm.

Wilson moved to remove the four Locust trees at 1st & Elm for the quoted price of \$2,780.00 by Capital Arborist Tree Services. Hartshorn seconded. Voting Yes: Wilson, Hartshorn, Rupe and Peterson. No: none. Motion carried.

Lindgren reviewed she spoke with Craig Swanson regarding the sidewalk agreement and it has not been signed yet.

Hartshorn moved to not issue an occupancy permit for 404 S 4th Street until an agreement regarding the sidewalk has been signed by the Village and property owners. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe and Peterson. No: none. Motion carried.

A detailed inspection report from Global Utility Services for the wood poles at the park was reviewed. Wood preservative and treatment for termites and other wood boring insects were used, and will last 7-10 years. Nothing else needs to be done, at this time.

Ordinance 2020-1 now comes on for third reading: AN ORDINANCE OF THE VILLAGE OF CERESCO, NEBRASKA TO ADOPT THE 2018 ZONING MAP; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

WHEREUPON, Board Member Rupe moved that said Ordinance 2020-1 be approved by its third reading and its title agreed to. Board Member Wilson seconded this motion.

The Chair instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion. Yeas: Rupe, Wilson, Hartshorn and Peterson. Nays: none.

WHEREUPON, the Chair declared that a majority of the members of the Board having voted in the affirmative for the passage and approval of said Ordinance No. 2020-1, the Chair declared Ordinance No. 2020-1 to have been duly passed and adopted as an Ordinance of the Village of Ceresco, Saunders County, Nebraska, and the Chair subscribed his name thereto, and the Clerk attested said signature of the Chair by subscribing her name thereto and affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance No. 2020-1 in the manner required by law, within fifteen (15) days after passage.

Dave Burklund was present to discuss the garage sizes in the new Zoning Ordinance. He is concerned the smaller lots will not be able to have a larger garage with 960 sq. ft. being removed and changed to 10% of the maximum lot coverage. Discussion held. The Board agreed to change 10% of the maximum lot coverage to 15% of the maximum lot coverage for accessory buildings.

Ordinance 2020-2 now comes on for third reading: AN ORDINANCE REVISING THE COMPREHENSIVE ZONING ORDINANCES AND SUBDIVISION REGULATIONS OF THE VILLAGE OF CERESCO, NEBRASKA; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EFFECTIVE DATE.

WHEREUPON, Board Member Hartshorn moved that said Ordinance 2020-2 be approved by its third reading and its title agreed to with the change for accessory buildings to 15% maximum lot coverage. Board Member Wilson seconded this motion.

The Chair instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion. Yeas: Hartshorn, Wilson, Rupe and Peterson. Nays: none.

WHEREUPON, the Chair declared that a majority of the members of the Board having voted in the

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affirmative for the passage and approval of said Ordinance No. 2020-2, the Chair declared Ordinance No. 2020-2 to have been duly passed and adopted as an Ordinance of the Village of Ceresco, Saunders County, Nebraska, and the Chair subscribed his name thereto, and the Clerk attested said signature of the Chair by subscribing her name thereto and affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance No. 2020-2 in the manner required by law, within fifteen (15) days after passage.

COVID-19 issues with Lindgren attending her son's wedding in Colorado were discussed. Hartshorn will try to update the old laptop with windows 10 for Lindgren to work remotely from home. The Board agreed that Lindgren will quarantine for at least one week and take and document her temperature daily. The second week the maintenance personnel will not come to the building at all, and Jody Anderson will have the option not to come to work.

Peterson moved to adjourn at 6:03 PM. Wilson seconded. Voting Yes: Peterson, Wilson, Hartshorn and Rupe. No: none. Motion carried.

Scott Peterson, Chairman
Joan Lindgren, Clerk